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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/965,786	09/27/2001	Rick Rowe	IGTECH.0028P	3692
22434	7590	03/24/2004	EXAMINER	
BEYER WEAVER & THOMAS LLP P.O. BOX 778 BERKELEY, CA 94704-0778			WHITE, CARMEN D	
			ART UNIT	PAPER NUMBER
			3714	

DATE MAILED: 03/24/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/965,786

Applicant(s)

ROWE ET AL.

Examiner

Carmen D. White

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11/17/03.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5,7-11,13-16 and 19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5,7-11,13-16 and 19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION***RCE***

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 11/17/03 has been entered.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-5, 7-11, 13-16 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hedrick et al (6,135,884) in view of Raven et al (5,429,361)

Regarding claims 1-3, 5, 8-11, 13, 16 and 19, Hedrick teaches an information system associated with a gaming system including at least one gaming device, the gaming device arranged to present at least one game for play thereon that comprises a player tracking device (#516) associated with said gaming device, said player tracking device including a card reader (#520), a keypad (#522), at least one speaker (col. 8, lines 9-10) and at least one display (#518); a player tracking host arranged to store data regarding one or more players of said gaming device (Fig. 5, #526); and an information

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system host (Fig. 5, #524- game network). Hedrick further teaches the incorporation of a top box secondary display for displaying various types of multimedia information, including promotional information and advertisements (col. 3, lines 15-17 and 52-56) that is located in the proximity of the player tracking device (col. 7, lines 5-20), Hedrick is silent regarding the determination of the eligibility of the player of the gaming device to multimedia information by said information system host for the display of this multimedia information. However, in an analogous gaming system that includes a player tracking device, Raven teaches the display of information to a player which is directly correlated to the information host's data received regarding that player, via the player tracking input (col. 5, lines 15-37). It would have been obvious to a person of ordinary skill in the art to incorporate player specific promotional information, as taught by Raven, into the multimedia top box display of Hedrick to provide the player with multimedia advertising and promotional data that is specific to that player. This would increase play at the gaming machines and provide a more exciting gaming experience.

Regarding claim 4, Hedrick and Raven teach all the limitations of the claim as discussed above. Hedrick further teaches a plurality of player tracking devices associated with differing gaming devices that are associated with the player tracking host (col. 9, lines 44-46).

Regarding claim 7, Hedrick and Raven teach all the limitations of the claim as discussed above. Hedrick further teaches the feature of a top box (col. 3, lines 51-56).

Regarding claims 14-15, Hedrick and Raven teach all the limitations of the claims as discussed above. The references lack the explicit disclosure of player eligibility

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being determined by the accrual of a number of reward points or the player's play of a certain type of game. However, it would have been obvious to a person of ordinary skill in the art at the time of the invention to display promotional information and advertisements by means of these types of determinations in order to make the game more player specific. This would make advertising more effective.. This would also ensure that players that frequented the game most and paid more money would obtain additional benefits. This would provide them with incentives to continue spending money at the gaming establishment; thus increasing the establishment's profits.

Examiner's Response

The examiner has addressed applicant's arguments in the previous office action, paper #8, which is incorporated herein by reference.

USPTO Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to C. D. White whose telephone number is 703-308-5275. The examiner can normally be reached on Monday through Friday, 8:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tom Hughes can be reached on 703-308-1806. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



C. White

Patent Examiner, 3714